

MINUTES OF THE MEETING OF THE CITY OF SEAFORD MAYOR AND COUNCIL

July 12, 2006

7:00 p.m.

Mayor Edward H. Butler, Jr., called the Regular Meeting to order with the following present: Councilwoman Pat A. Jones, Councilwoman Grace S. Peterson, Councilman J. Rhea Shannon, Councilman Michael Vincent, and Councilwoman Leanne Phillips-Lowe. Dolores J. Slatcher, City Manager, Charles D. Anderson, Director of Operations, and Michael Mulvaney, Building Official were also present.

Councilwoman Jones offered the opening prayer. Mayor Butler led those present in the Pledge of Allegiance.

Mayor Butler solicited changes to the agenda. There being none the agenda stood as presented.

Mayor Butler called for a motion to approve the Minutes of the Regular Meeting of June 27, 2006. Councilwoman Phillips-Lowe so moved; Councilwoman Peterson seconded the motion. Motion so passed with all present voting in favor.

Mayor Butler stated the Public Hearing scheduled for 7:05 p.m. was cancelled due to an error in the advertisement related to the exhibit denotation on the tax map and the incorrect parcel number for one property. City Manager Slatcher added that this will have to be corrected in another advertisement and the Public Hearing will be rescheduled later in the Council meeting.

There was no correspondence.

City Manager Slatcher presented New Business #1, the quotes for the AC unit in the radio room at the Police Department. She stated Verizon has recommended that a special AC unit be installed because of heat build up in the equipment. The Police Department received two quotes, one from National HVAC in the amount of \$8,939.00 and Wilfre in the amount of \$11,345.00. It was recommended to award the contract to National HVAC and to use E-911 reserve funds that are specific to the communications room to pay for the AC unit. Councilwoman Phillips-Lowe made the motion to accept the quote from National HVAC for a special air conditioning unit in the radio room in the amount of \$8,939.00 with the money coming from the E-911 reserve fund. Councilwoman Jones seconded the motion. Motion so passed with all present voting in favor.

City Manager Slatcher presented New Business #2, the bids for the electrical materials and transformer for Falco. The City received two complete bids, one from Hughes Supply in the amount of \$29,664.46 with a delivery date of 14-16 weeks and the other bid from WESCO in the amount of \$12,382.13 with a delivery date of 10-12 weeks. The recommendation is to award the bid to the lower bidder, WESCO. The funds would come from Acct. #672, the operating budget of the Electric Department. There was \$6,800.00 budgeted for this in the '07 Budget for this project; there is an override for this project by \$5,182.13 due to the increase cost of materials. Councilman Vincent motioned to award the bid for the materials and transformer for Falco to the lower bidder, WESCO in the amount of \$12,382.13. Councilwoman Jones seconded the motion. Motion so passed unanimously in favor.

City Manager Slatcher presented New Business #3, the bids for multiple transformers to service Falco, Lowe's, Lowe's strip center and Days Inn. The City received five bids. The low bidder is Hughes Supply in the amount of \$105,003.00, however, the staff is recommending the bid be awarded to the second lowest bidder, WESCO in the amount of \$106,686.00 because of the shorter delivery time of 16-20 weeks; the shorter delivery time allows work to proceed faster on the projects. The cost difference between WESCO and the low bidder Hughes Supply was \$1,683.00. The funds will be taken from line item Acct. # 663, the Electric Department account for transformers. The '07 transformer budget is \$224,150.00; \$48,500 was budgeted for these projects, so there is an override of \$56, 503.00. Days Inn was not included in the original list for transformers. Councilman Vincent motioned to award the transformers bid to WESCO in the amount of \$106,686.00. Councilwoman Peterson seconded the motion. Motion passed unanimously in favor.

City Manager Slatcher discussed New Business #4 which is the customer policy agreement titled "City of Seaford – Technical Consideration Covering Parallel Operations of Customer Owned Generation of less than One (1) Megawatt and interconnected with the City of Seaford Electrical System. This document outlines the parameters of the way the City would allow a customer who chooses to use green energy, solar power, wind power, etc. and are generating on line less than 1 megawatt to operate in parallel with the City's electrical distribution system. It also cites the parameters of what the customer would have to have in their system for metering so there is not a back feed. The customer will have to have certain system protections so that they do not shut down the whole distribution system. This is an industry standard and all DEMEC customers are adopting a similar policy. The City wants to have a policy in place in the event a customer chooses to use green energy in order for the customer to be prepared for what they have to do to operate in parallel with the City. The effective date will be January 1, 2007. Councilwoman Jones asked if this is a replacement policy? City Manager Slatcher said no, this is an additional policy that we will have in our tariff that will say how we will handle this practice. It is a pro-active stance. Councilwoman Jones asked if there be any fees? City Manager Slatcher said she is sure there will be fees for the City and also fees to the customer.

Councilman Vincent made a motion to approve the Customer Policy agreement- "City of Seaford – Technical Consideration Covering Parallel Operations of Customer Owned Generation of less than One (1) Megawatt and interconnected with the City of Seaford Electrical System. Councilwoman Peterson seconded the motion. Councilwoman Jones asked if a motion needs to be made that it will not go into effect on January 1, 2007. Councilman Vincent said he would like to amend the motion to include the policy will become effective January 1, 2007. Councilwoman Peterson seconded the amended motion. Motion so passed unanimously in favor.

City Manager Slatcher identified New Business #5, Change Order #2 for North Ross Lift Station/Herring Lift Station in the amount of \$99,476.00 for deepening the lift station and increased costs; the original contract was approved on August 23, 2005. The City has an authorizing memo from Lowe's to pay for the upgrades and increased costs in the amount of \$98,756.00 which is about \$720.00 short; the City Manager felt the difference was the way Lowe's interpreted the change order, however, she thinks they will pick up the \$720.00. The staff is recommending approval of the change order based on the need for the contractor to have

approval by July 13th in order for the materials to be received in time to meet the construction deadlines for Lowe's and Home Depot. The lift station is a seven month construction project. The City Manager explained the reason for the delay on starting the lift station after the approval in August of 2005 was so the developer could clear the site which would help the City keep the costs down; the developer absorbed these costs as part of the project. Councilwoman Peterson made the motion to approve change order #2 for deepening and the cost increase for North Ross Lift Station in the amount of \$99,476.00. Councilwoman Jones seconded the motion. Motion passed unanimously in favor.

City Manager Slatcher presented New Business #6 the Resolution setting the public hearing for the annexation of lands for *Exhibit A* - Nanette Corey, *Exhibit B* - Ray S. Mears and Sons and *Exhibit C* - St. Rockland & Co.; and New Business #7 the Resolution setting the public hearing for the annexation of lands for *Exhibit D* - Morris Properties, *Exhibit E* - Tuong Quan and *Exhibit F* - Steven and Cynthia Yingling. The Public Hearing date is Tuesday, August 8, 2006 at 7:05 p.m. The advertisement date is Thursday, July 27, 2006. Councilwoman Jones made a motion to approve the Resolutions setting the Public Hearing date for August 8, 2006 at 7:05 p.m. in the Council Chambers for the annexations of Corey, Mears, St. Rockland, Morris Quan, and Yingling. Councilwoman Phillips-Lowe seconded the motion. Motion so passed with all present voting in favor.

City Manager Slatcher presented New Business #8, the recommendation for the sale of the used lawn mower at the WWTF. The City received eight bids. Discount Homes and Dale McBroom tied for the high bid in the amount \$900.00. Letters were sent to the bidders, inviting them to increase their bid amount. The deadline to respond was July 5th at 12:00 p.m. Discount Homes was the only responder increasing their bid to \$1,000.00. Mr. McBroom called on July 12, 2006 stating they had put a bid in and the City did not receive it. Mr. McBroom called back and said they put it in the mail and the City did not receive it. The recommendation is to accept the bid from Discount Homes for \$1,000.00. Councilman Shannon made a motion to accept the bid from Discount Homes in the amount of \$1000.00. Councilwoman Peterson seconded the motion. All present voted in favor of the motion.

City Manager Slatcher spoke to the next agenda item New Business #9, a request for relief from the Noise Ordinance. During discussions with DelDOT, Conservation and the City are attempting to move forward the Lowe's project so that positive drainage flow can be achieved on this site to stop the flooding issues in the area. The mandated catch basins must be connected to the State storm water system. The City Manager went on to explain for traffic purposes, the State has placed a moratorium on anyone working on Rt. 13 and in this case, Herring Run Road until after September 15, 2006. However, through discussions with DelDOT, they have implied that if the City relaxes the Noise Ordinance during the hours of 10:00 p.m. through 6:00 a.m. for a two week period, they will allow the contractor to do the road cut on Herring Run Road; a DelDOT inspector will be on site during those hours. DelDOT will probably restrict the days to Monday thru Thursday, and not allow work over the weekend. The City Manager is recommending that Council approve this waiver so that this project can be tied into the State system in order to avoid unnecessary flooding issues on Herring Run Road and Rt. 13. She also explained that she does not have this in writing from DelDOT at this time, but she is being told by DelDOT that they (contractor) will be

allowed to work between the hours of 10:00 p.m. and 6:00 a.m.; she does expect to have this resolved by the end of the week if at all possible. Detours will be on the road during those hours, but traffic impact should be minimal. It will have some impact on the Industrial Park and there will be some inconvenience to people going to Rt. 13A. Councilman Shannon stated it would be worth the inconvenience to resolve the flooding conditions. He then made the motion to approve the waiver of the Noise Ordinance that would allow the Lowe's contractor to work through the night to get the drainage problem corrected at the Lowe's site. Councilwoman Jones seconded the motion. Motion so passed with all present voting in favor.

City Manager Slatcher presented New Business #10, the appointment of the annexation committee to review the request from Steve Cooper and Leslie Johnson to annex Tax Map and Parcel 3-31 5.15 32, which is located near N. North Street Extended. The Committee as appointed by Mayor Butler is as follows: Councilman Vincent will serve as the chairman, with Councilwoman Peterson and Councilwoman Phillips-Lowe as the other members.

REMINDER OF MEETINGS:

➤ SCAT Steering Committee on July 13, 2006.

Committee Reports:

Councilman Shannon commended Charles Anderson Director of Operations, for his excellent handling of the storm event. The Fire Department was also commended for their job of fighting the structure fire at Chandler Heights.

Councilwoman Peterson remarked the cross walks on High Street are being painted by Public Works. The paving work on Porter Street is complete and the work on Pennsylvania Avenue was finished today. She also commended Parks and Rec for the City's crab feast on July 7, 2006.

Councilwoman Phillips-Lowe thanked the City for her first City party; she enjoyed the evening. She also asked that if anyone had spare time, please volunteer to work during Riverfest. The Co-chairs were hanging tuff and doing a good job.

Councilwoman Jones reminded everyone the Community Pool is open daily from 12 p.m. until 7 p.m.; walk-ins are \$4.00. Parks and Recreation is doing registration for youth field hockey and is also starting a women's hockey league are part of the Fall schedule. In addition men's slo-pitch softball registration is going on.

Mayor Butler thanked Council for attending the Employee Meeting. He commented about the Chesapeake Brass Band concert at the Mansion, he felt everyone had an enjoyable evening.

Councilman Vincent noted the Electric Committee met with Secretary of DNREC Hughes regarding the generation of electric at the Power Plant. He will put out the comments and answers in the next few weeks to the questions talked about during the meeting.

Minutes of the Meeting of the
City of Seaford Mayor and Council
July 12, 2006
Page 5

There being no further business, Mayor Butler called for a motion to adjourn. Councilwoman Jones motioned to adjourn; Councilwoman Peterson seconded the motion. Motion passed unanimously to adjourn. Mayor Butler adjourned the meeting at 7:35 p.m.

By: _____
Dolores J. Slatcher, City Manager

wp